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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/018,440	02/28/2002	Masayuki Takada	113236-005	4537

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EXAMINER

LEMMA, SAMSON B

ART UNIT	PAPER NUMBER
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2132

DATE MAILED: 08/10/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/018,440

Applicant(s)

TAKADA ET AL.

Examiner

Samson B. Lemma

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 28 February 2002.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-30 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1-26 is/are allowed.
- 6) ☒ Claim(s) 27-30 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 9 & 12/06/01.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

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DETAILED ACTION

1. **Claims 1-30** have been examined.

Claim Rejections - 35 USC § 112

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

4. **Claim 28 and 30** is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Claims 28 and 30, drawn to a data processing method, are rejected under 35 U.S.C. § 112, 2nd for omitting method steps with FP 07-34-12 because the limitations of these claims are routines, not method steps. See MPEP § 2172.01.

Claim Rejections - 35 USC § 101

5. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

6. **Claims 27-29** are rejected under 35 U.S.C. 101 because the subject matter is directed to non-statutory subject matter.

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4. **Claims 27-29** are directed to a program for making a computer execute processing. The examiner asserts that the limitation of the claims does not fall within the statutory classes listed in 35 USC 101. The language of the claims raises a question as to whether the claims are directed merely to an abstract idea that is not tied to a technological art, environment or machine which would result in a practical application producing a concrete, useful, and tangible result to form the basis of statutory subject matter under 35 U.S.C. 101. . See MPEP § 2106 IV. B. 1(a).

Allowable Subject Matter

5. **Claims 1-30 will be** allowed if the applicant overcome the above rejection.

6. The following is an examiner's statement of reasons for allowance:

With respect to **the independent claims 1, 13, 16, 19, 23-25.**

The following references disclose the general subject matter of the invention.

1. US 6742715/WO 9852160

2. US 6005942

3. US 6003113

For instance, **the first reference on the record**, namely, US 6742715, discloses how a single integrated circuit supports multiple applications. It further discloses method of flexibly loading an application and its associated data from an application provider onto an IC card. The application and its associated data are divided into segments which can each fit into the input buffer of an Integrated circuit card. Each segment is transmitted separately and the

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Integrated circuit card then stores the segment in an available space in the IC card's memory. Other applications may use part of a prior application space leaving empty segments. The new application is loaded into a number of these segments.

The 2nd reference, US 6005942, provided with IDS discloses multi application smart card method for facilitating a post issuance downloading of an application on to the smart card. The reference discloses a method for card issuers to securely add applications during the lifetime of the card after the card has already been issued (post issuance). Loading of an application and/or objects from an application server via a card acceptance device (and its supporting system infrastructure delivery mechanism) onto a card post issuance is performed in a secure and confidential manner. A smart card includes a card domain application that manages the card. Any number of security domain applications on the card provide security for loaded applications by managing keys; each application is associated with a security domain. Each of the card domain and security domains has a command interface for off-card communication, and an API for internal card use. The card life cycle includes the states of masked, initialized, load secured and blocked. An application life cycle includes the states of not available, loaded, installed, registered, personalized, activated and blocked. An application can block the card. The above reference meets most of the recitation of the independent claims.

The 3rd reference namely, US 6003113, discloses how a multi-purpose integrated-circuit card is used for storing electronic money and other information which provides increased security to avoid data to be managed by only a single program and provides access by another program. A medical information program is provided as an example.

However, the art which are disclosed above does not disclose or suggest the following particular limitation of the respective claim 1.

A data processing method for processing so that a portable device mounting an integrated circuit storing memory area division data and first area management key

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data, is authorized to perform at least one of a write operation to a memory area of said integrated circuit and a rewrite operation to the memory area on the condition that the first area management key data makes a second service provider provide a service using part of said memory area of said integrated circuit when said portable device is issued by a first service provider providing a service using said memory area,

said data processing method comprising the steps of:

having a memory area operation unit managing said key data for memory area division data encrypt first module data including second area management key data by the key memory area division data, and providing the same to the first service provider;

having the issuer of the portable device which is said first service provider, encrypt second module data including the encrypted first module by using said first area management key data providing the same to said memory area operation unit; and,

under the control of the memory area operation unit, providing the encrypted second module data to the integrated circuit, decrypting the second module data by using the first area management key data in the integrated circuit, decrypting the first module data in the decrypted second module data by using the key memory division data, and dividing the memory area to a first memory area to be used for the services of the first service provider and a second memory area to be used the services of the second service provider by using the second area management key data obtained from the decryption of the data.

None of the prior art of record taken singularly or in combination teaches or suggests an integrated circuit with all the limitations recited in respective claims 1. For the reasons provided above, the independent claim 1 is allowed. All the rest of the independent claims include similar limitation as that of claim 1 and are allowed for the same reason provided above.

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7. The dependent claims, being further limiting to the independent claims, definite and enabled by the specification are also allowed.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submission should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Samson B Lemma whose telephone number is 571-272-3806. The examiner can normally be reached on Monday-Friday (8:00 am---4: 30 pm).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, BARRON JR GILBERTO can be reached on. The fax phone number for the organization where this application or proceeding is assigned is 571-272-3799.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

SAMSON LEMMA

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S.L

08/08/2005

Justin T. Darrow
JUSTIN T. DARROW
PRIMARY EXAMINER